

REMARKS

Claims 1-15 are pending. By this Amendment, claims 1-15 are amended. No new matter is presented.

Entry of this Amendment is proper under 37 C.F.R. §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration; (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The Amendment is necessary and was not earlier presented because it is made in response to arguments raised in the Final Rejection. Entry of the Amendment is thus respectfully requested.

The Examiner has suggested headings be added to the Specification to more clearly describe the invention. Applicants have amended the Specification herein to include such headings.

Claims 1-5 are objected to for informalities. The claims have been amended responsive to the objection. Applicants respectfully request withdrawal of the objection.

Claims 1-15 are rejected under 35 U.S.C. §112, 2nd paragraph. The claims have been amended responsive to the rejection. In particular, the Office Action states the preamble of the claims each recite a method of measuring a flatness of a band or a device for measuring the flatness of a band yet do not recite any features or steps where the flatness of the band is measured. Applicants respectfully submit the sensors in the flatness measuring roll measure the flatness of the band running over the angular contact sector of the roll and that the invention is directed to a method of measuring the flatness measuring roll and/or measuring device. See page 3, lines 13-16 of the application. The claims have been amended to more clearly recite the invention. As such, Applicants respectfully request withdrawal of the rejection.

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding objections and rejection, allowance of claims 1-15, and the prompt issuance of a Notice of Allowability are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

U.S. Appln. No. 09/982,538
Docket No.: 103120-00026

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 103120-00026.**

Respectfully submitted,

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